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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 WESTERN NATIONAL MUTUAL
8 INSURANCE COMPANY, and
9 WESTERN NATIONAL
10 ASSURANCE COMPANY,

11 Plaintiffs,

12 v.

13 GARY TREPANIER EXCAVATING,
14 LLC, a Washington limited liability
company, and GARY J. TREPANIER,
an individual,

15 Defendants.

NO: 1:19-CV-3172-TOR

ORDER GRANTING MOTION TO
DISMISS DEFENDANT GARY J.
TREPANIER

16 BEFORE THE COURT is Plaintiff's Motion to Dismiss Defendant Gary J.
17 Trepanier (ECF No. 15). The motion was submitted for consideration without oral
18 argument. The Court has reviewed the record and files herein, and is fully
informed.

19 On January 30, 2020, this Court issued an Order to Show Cause why
20 Defendant Gary J. Trepanier, in his individual capacity, should not be dismissed from

ORDER GRANTING MOTION TO DISMISS DEFENDANT GARY J.
TREPANIER ~ 1

1 this matter after having been notified of his death. ECF No. 14. The following
2 day, Plaintiff filed a motion requesting the Court dismiss all claims against
3 Defendant Gary Trepanier, in his individual capacity. ECF No. 15. Counsel for
4 Defendant Trepanier has not objected to the motion. For good cause shown, all
5 claims against Defendant Trepanier (in his individual capacity) are dismissed with
6 prejudice.

7 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 8 1. The motion to dismiss Defendant Gary J. Trepanier in his individual
9 capacity is **GRANTED** and all claims against him are **DISMISSED** with
10 prejudice.
11 2. The District Court Executive is directed to enter this Order, amend the
12 docket to reflect the dismissal of Defendant Gary J. Trepanier in his
13 individual capacity, and provide copies to counsel.

14 DATED February 7, 2020.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE

Chief United States District Judge